JUL 10 2007

FOR THE WESTERN DISTRICT OF VIRGINIA JOHN F. CORCORAN, CLERK ROANOKE DIVISION

Civil Action No. 7:06cv00636

FINAL ORDER

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that summary judgment is entered in favor of the defendants. This action shall be and hereby is **DISMISSED**. All pending motions are hereby **DENIED** as **MOOT**, and this case shall be **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to the plaintiff and to counsel of record for the defendants.

ENTER: This 10 day of July, 2007.

DAVID JR. ATKINS,

United States District Judge